

## **Historic, Archive Document**

Do not assume content reflects current scientific knowledge, policies, or practices.



## LEGISLATIVE HISTORY

Public Law 806--77th Congress

Chapter 737--2d Session

S. 2341

## TABLE OF CONTENTS

Digest of Public Law 806 . . . . .	1
Index and Summary of History on S. 2341 . . . . .	1



DIGEST OF PUBLIC LAW 806

PERMISSION FOR ADDITIONAL ANNUAL-LEAVE ACCUMULATION. Amends the Annual Leave Act so as to provide that, during the emergency, leave unused by employees, which is not commuted or compensated, may be accumulated for succeeding years until it totals 90 days, but that not over 15 days may be accumulated during any one year after the total reaches 60 days.

INDEX AND SUMMARY OF HISTORY OF S. 2341

January 7, 1942	H. R. 6319 was introduced by Rep. Downs and was referred to the House Committee on the Civil Service. Print of the bill as introduced. (Companion bill).
March 5, 1942	S. 2341 was introduced by Senator Bulow and was referred to the Senate Committee on Civil Service. Print of the bill as introduced.
July 2, 1942	Senate Committee reported S. 2341 without amendment. Senate Report 1534. Print of the bill as reported.
July 9, 1942	S. 2341 was discussed in the Senate.
July 23, 1942	S. 2341 was discussed and passed the Senate as reported.
July 24, 1942	S. 2341 was referred to the House Committee on the Civil Service. Print of the bill as referred.
November 16, 1942	House Committee reported S. 2341 with amendments. House Report 2631. Print of the bill as reported.  S. 2341 was discussed in the House.
December 8, 1942	S. 2341 was discussed and passed the House as reported.
December 11, 1942	Senate agreed to the House amendment.
December 17, 1942	Approved. Public Law 806.









77TH CONGRESS  
2D SESSION

# H. R. 6319

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1942

Mr. DOWNS introduced the following bill; which was referred to the Committee on the Civil Service

---

## A BILL

To provide for lump sum payments for accumulated or current accrued annual leave, or both, due to Government employees at death.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 1 of the Act entitled "An Act to provide for  
4       vacations to Government employees, and for other purposes",  
5       as amended, approved March 14, 1938 (49 Stat. 1161;  
6       U. S. C., title 5, sec. 30b), be, and is hereby, amended by  
7       adding thereto the following:

8       "Upon the death of an employee within the purview of  
9       this section compensation for his accumulated or current  
10      accrued annual leave, or both, in a lump sum equal to the

1 total compensation that such employee would have received  
2 had he remained in the service for the period of such leave,  
3 shall be paid to the following persons in the order named:

4 “(1) To his surviving spouse;

5 “(2) If he leaves no surviving spouse, then to his chil-  
6 dren, share and share alike; and if any child be deceased, the  
7 share which such deceased child would have received shall be  
8 distributed per stirpes to the issue, if any, of such deceased  
9 child;

10 “(3) If he leaves no surviving spouse or surviving  
11 children or surviving issue of deceased children, then to his  
12 parents or any person standing in loco parentis to him, share  
13 and share alike;

14 “(4) If he leaves no surviving spouse or surviving  
15 children or surviving issue of deceased children or surviving  
16 parents, then to his brothers and sisters, share and share  
17 alike; and if any brother or sister be deceased, the share  
18 which such deceased brother or sister would have received  
19 shall be distributed per stirpes to the issue, if any, of such  
20 deceased brother or sister;

21 “(5) If he leaves no surviving spouse or surviving  
22 children or surviving issue of deceased children or surviving  
23 parents or surviving brothers and sisters or surviving issue of  
24 any deceased brother or sister, then to the estate of such  
25 deceased employee.”



---

## A BILL

To provide for lump-sum payments for accumulated or current accrued annual leave, or both, due to Government employees at death.

---

By Mr. DOWNS

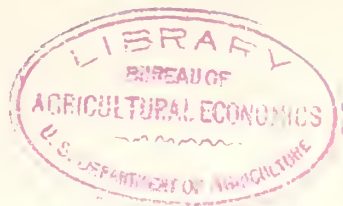
---

JANUARY 7, 1942

Referred to the Committee on the Civil Service

7403





---

IN THE SENATE OF THE UNITED STATES

MARCH 5, 1942

Mr. BULOW (by request) introduced the following bill; which was read twice  
and referred to the Committee on Civil Service

---

**A BILL**

To amend the Act approved March 14, 1936, entitled "An Act to provide for vacations for government employees, and for other purposes".

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the first sentence in section 1 of the Act of March 14,  
4       1936 (49 Stat. 1161), is hereby amended by adding the  
5       following proviso: "*: Provided further, That during the*  
6       national emergency declared by the President of the United  
7       States on September 8, 1939, the leave unused by the em-  
8       ployees of the departments, independent establishments, and  
9       agencies, not in other form commuted or compensated, shall  
10      be accumulated for succeeding years until it totals not exceed-  
11      ing ninety days: *And provided further, That in excess of*  
12      sixty days, not to exceed fifteen days of leave may be accrued  
13      in any one calendar year".

---

---

## A BILL

To amend the Act approved March 14, 1936, entitled "An Act to provide for vacations for government employees, and for other purposes".

---

---

By Mr. BULOW

---

---

MARCH 5, 1942

Read twice and referred to the Committee on  
Civil Service







ACCUMULATION OF LEAVE FOR GOVERNMENT  
EMPLOYEES

JULY 2, 1942.—Ordered to be printed

Mr. MEAD, from the Committee on Civil Service, submitted the following

## REPORT

[To accompany S. 2341]

The Committee on Civil Service, to whom was referred the bill (S. 2341) to provide more leeway to Government employees in accumulating annual leave, having considered the same, report favorably thereon, without amendment, and recommend that the bill do pass.

## STATEMENT

The bill proposes to give Government employees an accumulation of annual leave up to 90 days, whereas under the act of March 14, 1936 (49 Stat. 1161), employees may let their 26 days of annual leave accumulate up to 60 days.

In view of the war emergency, work prevents many Government employees from taking vacations this year; therefore this bill, providing that the leave unused by employees of the departments, independent establishments, and agencies, not in other form commuted or compensated, shall be accumulated for succeeding years until it totals not exceeding 90 days; with the further proviso that, after 60 days' leave has been accumulated, no more than 15 days of leave may be accrued in any one calendar year.

For the information of the Senate, the statements of the President of the Civil Service Commission are printed below.

UNITED STATES CIVIL SERVICE COMMISSION,  
Washington, D. C., March 27, 1942.

HON. W. J. BULOW,  
*United States Senator.*

DEAR SENATOR BULOW: Further reference is made to your letter of March 6, 1942, requesting a report of the Commission's views regarding S. 2341, a bill to amend the act approved March 14, 1936, entitled "An act to provide for vacations for Government employees, and for other purposes."

The act of March 14, 1936, as amended, grants to Government employees (with certain exceptions) 26 days of annual leave with pay, exclusive of Sundays, holidays, and administrative nonworkdays, and provides that the unused leave in any year shall be accumulated for succeeding years until it totals not exceeding 60 days. Inasmuch as there is no provision in the law authorizing accumulation beyond 60 days, leave in excess of 60 days which is not granted is forfeited. The act provides that annual leave shall be granted to such times as the heads of the various departments and independent establishments may prescribe.

S. 2341, if enacted into law, would provide that during the national emergency declared by the President on September 8, 1939, leave unused by employees, which is not commuted or compensated, may be accumulated for succeeding years until it totals not exceeding 90 days. Of the additional 30 days authorized, however, to be accumulated, not more than 15 days may be accumulated in any one calendar year.

Section 7 of the act of June 28, 1940 (54 Stat. 676, 679), amended the act of March 14, 1936, to provide that during the present emergency employees of the Navy Department, both departmental and field, and employees of the Coast Guard who are required to forego their annual leave because they cannot be spared from their official duties, may be paid the equivalent of the salary which they would have received during the period of such leave. Section 2 of the act of June 3, 1941 (Public Law 100, 77th Cong.), makes a similar provision for employees of the field offices of the War Department and of the Panama Canal. Section 3 of the same act provides that that act, and also section 7 of the act of June 28, 1940, shall be administered in accordance with such rules and regulations as the President may prescribe. Rules and regulations were promulgated by the President in Executive Order No. 8817 of July 5, 1941, a copy of which is enclosed for your information.

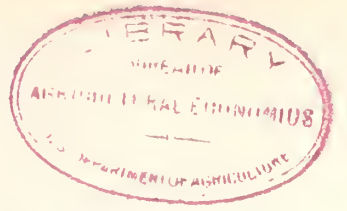
Under existing law, therefore, employees of the Navy Department, both departmental and field, and of the Coast Guard and employees of the field services of the War Department and of the Panama Canal, are protected against any forfeiture of the annual leave granted by the act of March 14, 1936, by being allowed compensation for accumulated leave which is not granted. There is no statute authorizing similar compensation for any other employees of the Government, and such employees therefore must forfeit any leave accumulated in excess of the 60 days authorized to be accumulated by the act of March 14, 1936. It is quite likely that such forfeiture may occur in the case of large numbers of employees throughout the Government service unless remedial legislation is enacted, as the Commission understands that many Government agencies have adopted administrative regulations restricting the amount of leave which will be granted to employees during the present emergency.

Inasmuch as S. 2341 would afford a partial remedy against the forfeiture of the leave accumulated in excess of 60 days, and thus adjust some of the inequities which now exist in the Government service with respect to annual leave, hours of duty, and overtime compensation, the Commission believes that it constitutes desirable legislation and recommends that it be given favorable consideration. It should be noted, however, that the remedy afforded by the bill is only partial. An employee who has accumulated the maximum of 60 days of leave authorized to be accumulated under the act of March 14, 1936, would, if granted no leave during the following calendar year, forfeit 11 of the 26 days of leave allowed by law for that year and retain the remaining 15 days to his credit. In the succeeding year, the same result would occur and, thereafter, since the employee had accumulated the maximum of 90 days of leave provided in S. 2341, all leave which is not granted would be forfeited.

In accordance with established practice, this report has been submitted to the Bureau of the Budget, and the Bureau has advised the Commission that while there is no objection to the submission of this report, the enactment of S. 2341 in its present form would not be in conflict with the program of the President.

Very sincerely yours,

HARRY B. MITCHELL, *President.*



Calendar No. 1580

77TH CONGRESS  
2D SESSION

**S. 2341**

[Report No. 1534]

---

IN THE SENATE OF THE UNITED STATES

MARCH 5, 1942

Mr. BULOW (by request) introduced the following bill; which was read twice  
and referred to the Committee on Civil Service

JULY 2, 1942

Reported by Mr. MEAD, without amendment

---

**A BILL**

To amend the Act approved March 14, 1936, entitled "An Act  
to provide for vacations for government employees, and for  
other purposes".

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the first sentence in section 1 of the Act of March 14,  
4       1936 (49 Stat. 1161), is hereby amended by adding the  
5       following proviso: "*: Provided further, That during the*  
6       *national emergency declared by the President of the United*  
7       *States on September 8, 1939, the leave unused by the em-*  
8       *ployees of the departments, independent establishments, and*  
9       *agencies, not in other form commuted or compensated, shall*  
10       be accumulated for succeeding years until it totals not exceed-

1 ing ninety days: *And provided further*, That in excess of  
 2 sixty days, not to exceed fifteen days of leave may be accrued  
 3 in any one calendar year”.

Calendar No. 1580

77TH CONGRESS  
2D SESSION

**S. 2341**

[Report No. 1534]

## **A BILL**

To amend the Act approved March 14, 1936,  
entitled “An Act to provide for vacations  
for government employees, and for other  
purposes”.

By Mr. BULOW

MARCH 5, 1942

Read twice and referred to the Committee on  
Civil Service

JULY 2, 1942

Reported without amendment







recent issue of the Kansas City Times, again calling attention to the inadequacy of the reasons advanced for imposing gasoline rationing in sections of the Nation where there are adequate refining facilities and surplus supplies of gasoline.

I wish to read one sentence from the editorial in the Kansas City Times, the implications of which, I believe, various governmental agencies that are apparently proceeding on their way to order Nation-wide gasoline rationing might well consider:

When people living where there is an overproduction of gasoline hear talk of restricting its use in order to force them to save tires, they wonder whether Washington really knows the situation, whether it has given attention to all the factors involved, or whether it is proposing to act on slapdash principles because it has the authority to do so.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post]

#### RUBBER POLICY

Surely the President's remarks on rubber at his Tuesday's press conference flouted the basic principle of equality of sacrifice with which we embarked upon this people's war. If he lived near an oil well, Mr. Roosevelt said, and had new tires on his car, he did not know why he should not use it. The reason he should not use his car—at least unnecessarily—must be plain enough. The Nation is at war, rubber is a vital element in our warring, and rubber is short. Therefore, there is just as much reason for all sections of the Nation to conserve rubber as to supply the military services with manpower.

The confusion about rubber seems to go on endlessly. At one and the same time the President hints darkly at commandeering and exculpates people in the oil States who still drive as usual. Both the hint and the exculpation will encourage rubber imprudence. People will run their cars more for the same reason that they run to the shops whenever a rationing order is threatened—just to get as much service as possible before none is left. Indeed, the American people seemed already to have concluded that sufficient unto the day is the evil thereof in regard to rubber prospects. Certainly the doubling up which spread throughout the country when the seriousness of the rubber situation first came to light has languished. And it seems the consensus that this falling off was directly attributable to the suggestion of contradictory statements which have flowed out of Washington.

So we have thrown away the opportunity of mobilizing the voluntary cooperation of the people in a matter which is singularly vital to the war effort. Now there must be compulsion. And it corresponds with the national interest that the compulsion to save rubber shall be Nation-wide. Rubber, to be sure, could be saved through a gasoline policy, but the means as well as the end is important, and the straightforward thing is to adopt a rubber policy. At least that would dispose of the objection to a gasoline policy of the kind that the President set forth.

[From the Kansas City Times]

#### THE WEST MUST BE SHOWN

If the people of the Middle West were convinced that gasoline rationing was essential for the national welfare they would accept it cheerfully, as they are ready to accept all necessary restrictions. They have not yet been convinced that this is the case.

Yet the talk about rationing goes on in Washington without regard to the request of the five western Governors for a conference on the subject. In the circumstances the West is highly skeptical.

First, there has been confusion in the minds of officialdom as to why gasoline should be rationed. At the outset it was said the whole country should have equal treatment, although the transportation emergency that forced rationing in the East does not apply to the oil States. Then the point was made that the people needed to be disciplined for the war, and cutting off their gasoline was one way to bring the war home to them. Now these reasons have been abandoned and the case is rested on the need of conserving rubber.

But, second, is it at all certain that rationing gasoline where it is abundant is the best way to conserve rubber? It must be borne in mind that gasoline rationing in the Oil Belt means huge and needless waste. The gasoline must be produced in connection with the manufacture of aviation gas. If it is not used it must be stored and storage facilities are wholly inadequate and cannot be expanded. Refinery managers already are discussing the possibilities of piping the gasoline to open fields in remote districts and burning it. Are the advantages to be gained by rationing of enough importance to warrant this destruction?

Third, what reason is there to suppose that the owners of private cars cannot be expected voluntarily to conserve their tires by cutting out needless driving and fast driving? Naturally when there is talk in Washington of commandeering cars and tires, the owners are encouraged to be reckless. They feel they might as well get what use they can out of their cars before giving them up. So they start out on needless pleasure trips. There is no certainty that commandeering of cars will be necessary. But officials in Washington like to speculate on the subject. Their loose talk has been responsible for any amount of unnecessary driving.

If attention were focused on doubling up by neighbors in going to work and on doing errands, a vast saving could be made. Most motorists have been accustomed to be prodigal in getting new tires before the old ones were nearly worn out. They have replaced tires that still had 10,000 miles of service in order to feel protected against a blowout on the highway. Undoubtedly a very large share of the owners could get 2 or 3 years more service out of their tires if they put their minds to it.

When people living where there is an overproduction of gasoline hear talk of restricting its use in order to force them to save tires, they wonder whether Washington really knows the situation; whether it has given attention to all the factors involved; or whether it is proposing to act on slapdash principles because it has the authority to do so.

Certainly the Washington record on rubber problems, the lethargy in getting started to make synthetic rubber, and the careless waving aside of grain alcohol as a rubber source have not impressed the country with wisdom of the men who are in charge of the rubber program. As to the necessity of cutting off gas from midwestern motorists and burning it in the fields, the people in this part of the country have still to be shown.

#### THE FAR EAST: A GLIMPSE INTO THE FUTURE—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD an address entitled "The Far East: A Glimpse Into the Future," delivered by Senator THOMAS of

Utah at the Institute of Public Affairs, University of Virginia, Charlottesville, Va., July 7, 1942, which appears in the Appendix.]

#### ADDRESS BY SENATOR VAN NUYS TO INDIANA DEMOCRATIC CONVENTION

[Mr. KILGORE asked and obtained leave to have printed in the RECORD the address delivered by Senator VAN NUYS before the Democratic State convention at Indianapolis, Ind., June 30, 1942, which appears in the Appendix.]

#### ADDRESS BY SENATOR WILLIS AT TRI-STATE COLLEGE COMMENCEMENT EXERCISES

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an address entitled "War—Probably the Most Tragic of All Tragedies," prepared for delivery by Senator WILLIS on the occasion of the Tri-State College commencement exercises at Angola, Ind., on June 11, 1942, which appears in the Appendix.]

#### UNITY IN CONDUCT OF THE WAR—ADDRESS BY LIEUTENANT GENERAL SOMMERVELL

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an address delivered by Lt. Gen. Brehon B. Somervell, commanding general, Services of Supply, War Department, at the labor luncheon, Hotel Statler, Detroit, Mich., Saturday, July 4, 1942, which appears in the Appendix.]

#### THE PATTERN OF VICTORY—ADDRESS BY EUGENE CASEY

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an address entitled "The Pattern of Victory," delivered by Eugene Casey, special executive assistant to the President, before the National Industrial Advertisers Association, Inc., Atlantic City, N. J., June 29, 1942, which will appear hereafter in the Appendix.]

#### RUBBER—ARTICLE BY BRUCE BLIVEN

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an article entitled "Rubber" written by Bruce Bliven and published in the New Republic of July 13, 1942, which appears in the Appendix.]

#### THE UN-AMERICAN WAY OF LIFE—EDITORIAL BY HARRY WOODS

[Mr. REED asked and obtained leave to have printed in the RECORD an editorial entitled "The Un-American Way of Life," written by Harry Woods, editor of the Wellington Daily News, Wellington, Kans., which appears in the Appendix.]

#### THE FLYING TIGERS OF THE A. V. G.—EDITORIAL FROM MONTGOMERY (ALA.) ADVERTISER

[Mr. BARKLEY (for Mr. HILL) asked and obtained leave to have printed in the RECORD an editorial from the Montgomery Advertiser of July 7, 1942, relative to the exploits of the Flying Tigers of the A. V. G., which appears in the Appendix.]

#### VISIT OF DR. ALFONSO LOPEZ, PRESIDENT-ELECT OF COLOMBIA

Mr. BARKLEY. Mr. President, the President-elect of Colombia, Dr. Alfonso Lopez, is now in the office of the Vice President. It is not contemplated that he will be received by the Senate or that he will address the Senate. Senators will, no doubt, be anxious to meet President-elect Lopez, and if they will step into the room of the Vice President, they will have opportunity to greet him there.



**BELLA COSGROVE—CONFERENCE  
REPORT**

Mr. ELLENDER (for Mr. ROSIER) submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4355) for the relief of Bella Cosgrove, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendments of the Senate and agree to the same with an amendment, as follows: In lieu of the language inserted by the Senate amendments insert the following:

"That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bella Cosgrove, of New York City, New York, the sum of \$500, in full settlement of all claims against the United States for personal injuries sustained when she was alleged to have tripped on a wooden block negligently left in the street by Work Projects Administration employees on May 6, 1940, at the intersection of One Hundred and Sixth Street and Central Park West, in the city of New York: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

And the Senate agree to the same.

JOSEPH ROSIER,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

DAN R. McGEHEE,  
THOMAS WINTER,

*Managers on the part of the House.*

The report was agreed to.

**CHARLES L. LAIR—CONFERENCE REPORT**

Mr. ELLENDER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4370) for the relief of Charles L. Lair, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, as follows: In lieu of the figures "\$2,500" insert "\$3,000"; and the Senate agree to the same.

ALLEN J. ELLENDER,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

DAN R. McGEHEE,  
THOMAS WINTER,

*Managers on the part of the House.*

The report was agreed to.

**FERD W. MEILE—CONFERENCE REPORT**

Mr. ELLENDER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5000) for the relief of Ferd W. Meile, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the

amendments of the Senate and agree to the same.

ALLEN J. ELLENDER,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

DAN R. McGEHEE,  
THOMAS WINTER,

*Managers on the part of the House.*

The report was agreed to.

**ROMANO EMILIANI—CONFERENCE  
REPORT**

Mr. ELLENDER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5295) for the relief of the estate of Romano Emiliani, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the language inserted by the Senate amendment insert the following: "Provided further, That the court shall determine the exact acreage of lands alleged to have been taken, and award compensation for any land so found to have been taken based upon their value per acre as of the time of taking, not including the value of any improvements thereon which have already been paid for"; and the Senate agree to the same.

ALLEN J. ELLENDER,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

SAMUEL A. WEISS,  
W. A. PITTINGER,

*Managers on the part of the House.*

The report was agreed to.

**CHARLES E. YATES AND THE MOTOR  
FACTS SALES CO.—CONFERENCE RE-  
PORT**

Mr. ELLENDER (for Mr. ROSIER) submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5385) for the relief of Charles E. Yates and the Motor Facts Sales Co., having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, as follows: In lieu of the figures "\$2,500" insert "\$3,500"; and the Senate agree to the same.

JOSEPH ROSIER,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

DAN R. McGEHEE,  
SAMUEL A. WEISS,  
THOMAS WINTER,

*Managers on the part of the House.*

The report was agreed to.

**CECILE McLAUGHLIN—CONFERENCE  
REPORT**

Mr. ELLENDER (for Mr. ROSIER) submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5496) for the relief of Cecile McLaughlin, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as fol-

lows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, as follows: In lieu of the figures "\$1,090" insert "\$1,500"; and the Senate agree to the same.

JOSEPH ROSIER,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

DAN R. McGEHEE,  
THOMAS WINTER,

*Managers on the part of the House.*

The report was agreed to.

**HENRY DALEY, GUARDIAN OF JAMES  
RAY DALEY AND NORMAN FRANKLIN  
DALEY—CONFERENCE REPORT**

Mr. ELLENDER (for Mr. HUGHES) submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5499) for the relief of Henry Daley, guardian of James Ray Daley and Norman Franklin Daley, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment, as follows: In lieu of the figures "\$1,800" insert "\$2,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

JAMES H. HUGHES,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

DAN R. McGEHEE,  
THOMAS WINTER,

*Managers on the part of the House.*

The report was agreed to.

**TEMPORARY APPOINTMENTS TO MEDICAL  
ADMINISTRATIVE CORPS**

Mr. SCHWARTZ. Mr. President, I wish to give notice that at the conclusion of the routine morning business I shall ask unanimous consent that the Senate proceed to the consideration of House bill 7242, to authorize temporary appointments in the Army of the United States of officers on duty with the Medical Administrative Corps.

Mr. BARKLEY. It is my intention to ask that the calendar be called as soon as the routine morning business shall have been concluded. There are but six bills on the calendar to be considered, of which the bill referred to by the Senator is one. He may be able to have it passed when it is called.

**THE CALENDAR**

The VICE PRESIDENT. The routine morning business is concluded.

Mr. BARKLEY. I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 1580.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will proceed to state the measures on the calendar.

**EXTENSION OF ACCUMULATED LEAVE FOR  
GOVERNMENT EMPLOYEES**

The bill (S. 2341) to amend the act approved March 14, 1936, entitled "An



act to provide for vacations for Government employees, and for other purposes" was announced as first in order.

Mr. McKELLAR. May I ask the Senator in charge of the bill what the cost resulting from its enactment would be? If there is no one present to answer, I shall ask that the bill go over.

Mr. BARKLEY. Mr. President, the Senator from New York [Mr. MEAD] has just entered the Chamber and no doubt is prepared to explain the bill. If it is not passed on the call of the calendar, probably a motion will be made to take it up.

Mr. McKELLAR. I want to know what the cost will be.

Mr. MEAD. Mr. President, my understanding of the bill is that it provides for the extension of the accumulated leave of certain Government employees from 60 to 90 days. The draft of the bill was sent by the Civil Service Commission to the chairman of the Committee on Civil Service, the Senator from South Dakota [Mr. BULOW]. Our committee considered it and favorably reported it, because it will allow the employees to work during the present emergency, when they are so vitally needed, and to take time off later on. It extends their accumulation of vacation time from 60 to 90 days. It will result in the Government getting more work out of them during this emergency. It is assumed that the proposed measure will not cost the Government anything.

Mr. McKELLAR. I know about the assumption, but I also want to know the facts. Does it mean that hereafter an employee who works throughout the period of the war shall, after the war is over, be allowed 90 days' leave out of each 12-month period?

Mr. BARKLEY. It is limited to the emergency.

Mr. MEAD. Under the bill employees would be permitted to accumulate 15 days in any one calendar year in addition to the 60 the law now permits.

Mr. McKELLAR. As the law now stands, is an accumulation of 60 days permitted?

Mr. MEAD. It is. This measure is to apply only for the duration of the emergency, and it will permit employees to accumulate 15 days more each year.

Mr. McKELLAR. How is it possible to get more work out of them if they are given more days off with pay?

Mr. MEAD. It is merely compensating them for their overtime. If they worked, they would be paid for time and a half in cash. It will give them straight time off.

Mr. McKELLAR. It will mean an increase in salary.

Mr. MEAD. No; it will not mean an increase in salary at all.

Mr. McKELLAR. Mr. President, I have not had an opportunity to examine the bill, and I shall have to object to present consideration until I have an opportunity to look into it.

Mr. MEAD. I desire to say to the distinguished Senator from Tennessee that the bill does not provide for an increase in pay; it merely provides for an accumulation of leave. It has been recommended by the Civil Service Commission,

the Bureau of the Budget, and the administration generally.

Mr. McKELLAR. Does not the Senator think that, in fairness to the Congress, we should know how much it will cost? The information is easily ascertainable.

Mr. MEAD. My answer to the Senator is that the report from the Commission states that it will not cost the Government any money.

Mr. McKELLAR. It will necessarily cost something.

Mr. MEAD. No; it will result in a saving of money. As soon as the bill providing for time and a half for overtime shall pass, which is expected, the employees will get time and a half for extra work, whereas if they are allowed accumulated leave they will receive the regular pay for overtime. A saving to the Government will therefore result.

Mr. McKELLAR. Mr. President, I am not satisfied with the answer. It appears to me that we should have a report from the Commission.

Mr. BARKLEY. There is in the report of the committee a letter from the Civil Service Commission.

Mr. McKELLAR. I have read the letter very hastily, and if anyone can tell from that letter the amount of the additional cost or saving, if any, as a result of the enactment of the bill, he has a better mind than I have.

Mr. MEAD. Nothing can be said about additional costs if there are not to be any.

Mr. McKELLAR. The bill does not say anything about a saving. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

#### BILLS PASSED OVER

The bill (S. 2150) to amend section 13 of the Classification Act of 1923, as amended, was announced as next in order.

Mr. McKELLAR. Mr. President, this bill is in the same category with the one just discussed. I should like to have an explanation of it.

The VICE PRESIDENT. The Senator from Tennessee requests an explanation of the bill.

Mr. McKELLAR. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 6217) to amend section 13 of the Classification Act of 1923, as amended, was announced as next in order.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). This bill is similar to the one which has been under discussion, and will be passed over.

#### DISABLED AMERICAN VETERANS

The bill (H. R. 7282) to amend the act entitled "An act to incorporate the Disabled American Veterans of the World War," approved June 17, 1932, was announced as next in order.

Mr. McNARY. Mr. President, I have not had time to read the report on this bill. I should like to have an explanation of it. Otherwise, I shall ask that it go over for the day.

Mr. HATCH. The only change this bill would make in the existing law is in the

name of the Disabled American Veterans of the World War, by dropping the words "the World War," leaving the title "Disabled American Veterans."

The bill has passed the House, and its enactment is requested by the veterans themselves. The Disabled American Veterans of the World War is a corporation organized under the authority of Congress, and this measure merely provides for a change in the name. That is my information as to the bill.

Mr. McNARY. The bill states the title of the organization is "Disabled American Veterans of the World War." It is proposed by the bill to shorten the name and modify it to "Disabled American Veterans"?

Mr. HATCH. That is correct.

Mr. McNARY. I have no objection.

The bill was considered, ordered to a third reading, read the third time, and passed.

#### WILLIAM J. TEPsic

The bill (S. 2364) for the relief of former First Lt. William J. Tepsic, One Hundred and Seventy-sixth Field Artillery, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the President is authorized to vacate the court-martial sentence of dismissal imposed upon First Lt. William J. Tepsic, One Hundred and Seventy-sixth Field Artillery, as a result of which he ceased to be an officer of the Army at midnight December 14, 1941.

SEC. 2. The President is further authorized to reinstate the said William J. Tepsic as a first lieutenant of the Army, effective as of December 15, 1941, and to issue such commissions and documents as may be necessary in connection with such reinstatement and to indicate upon the records of the War Department that the sentence of dismissal above referred to has been vacated.

#### TEMPORARY APPOINTMENTS TO MEDICAL ADMINISTRATIVE CORPS

The bill (H. R. 7242) to authorize temporary appointments in the Army of the United States of officers on duty with the Medical Administrative Corps, was announced as next in order.

Mr. McNARY. I should like to have an explanation of the bill and a statement as to its purpose.

Mr. SCHWARTZ. Mr. President, the purpose of this bill, which was introduced at the request of the War Department, is to give to officers heretofore commissioned in the Medical Administrative Corps, in the Army of the United States, the same right to temporary promotion in the Army of the United States and the same benefits as to pay for the higher temporary grade as are already enjoyed by officers commissioned in other branches of the Army. Section 127a, as amended, of the National Defense Act, permits the promotion in time of war or national emergency declared by the President of any officer of the Regular Army to a higher temporary grade without vacating his permanent appointment. Under the provisions of the law the War Department authorized the promotion of several captains of the Medical Administrative Corps to temporary grade of major. However, the Comptroller General ruled that inasmuch as section 10 of the National Defense Act



which created the Medical Administrative Corps does not provide for any grade above that of captain, the officers appointed temporarily to the grade of major were not entitled to the pay of any grade above that of captain. This ruling obviously included Medical Administrative officers originally commissioned in the Officers' Reserve Corps and the National Guard.

In view of the very extensive enlargement of our Military Establishment, it has been found necessary to employ certain men in the capacity of majors to perform duties beyond those ordinarily assigned to captains, and this bill is for the mere purpose of permitting the performance of those necessary functions. The bill has the recommendation of the War Department, and it has passed the House. The amendment is simply to clarify the language under which payments may be made.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 7242) to authorize temporary appointments in the Army of the United States of officers on duty with the Medical Administrative Corps, which had been reported from the Committee on Military Affairs with an amendment on page 2, after line 6, to strike out section 2, as follows:

SEC. 2. All appointments and payments which would have been valid had this act been in effect on and after September 9, 1940, are hereby ratified and validated and credit for payments made on account of such appointments shall be allowed by the Comptroller General of the United States in the accounts of disbursing officers making such payments. Any amounts collected from any person on account of payments made by reason of an appointment to a higher temporary grade which is ratified and validated by this act shall be refunded to such person upon presentation of a claim therefor to the Comptroller General of the United States who is authorized and directed to certify such claim to the Secretary of the Treasury for payment out of any funds available for pay of the Army.

And in lieu thereof to insert:

SEC. 2. All appointments and payments which would have been valid had this act been in effect on and after September 9, 1940, are hereby ratified and validated, and officers appointed to a higher temporary grade whose appointments are ratified and validated by this act shall be entitled to pay and allowances of such grade for the period during which they served in said grade to be paid out of any funds available for pay of the Army: *Provided*, That credit for payments heretofore made to such officers shall be allowed by the Comptroller General of the United States in the accounts of disbursing officers: *Provided further*, That any amounts collected from any person on account of payments made by reason of an appointment to a higher temporary grade which is ratified and validated by this act shall be refunded to such person upon presentation of claim therefor to the Comptroller General of the United States who is authorized and directed to certify such claim to the Secretary of the Treasury for payment out of any funds available for pay of the Army.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. That completes the calendar.

#### SALE OF CERTAIN PUBLICATIONS

Mr. HATCH. Mr. President, I ask unanimous consent to return to Calendar No. 965, Senate bill 1968, and I ask for its immediate consideration. Before consent is given I should like to explain the bill, because it might be considered more or less political in nature, particularly at a time when we are approaching a political campaign.

The purpose of the bill is to amend the act which prohibits certain pernicious political activities. I may say it particularly proposes to amend the section which prohibits the sale for exorbitant sums of advertising such as has been carried in campaign books in order to raise campaign funds. That provision of the act I heartily favor, and I would not advocate anything that would reopen or weaken that particular section of the bill. Frankly, we have in the Democratic National Committee a women's division. The ladies of our party—and I presume the Republican Party has a similar organization—publish what they call the Women's Democratic Digest. That digest is sold for something like \$1 a year. Whatever the subscription price may be, it is substantially below the cost of publication. I am not entirely sure that the section of the act to which I referred, and which the present bill would amend, prohibits that practice, but the ladies of the Democratic National Committee have been worried about it. They have been worried for fear their sale of that publication might subject them to the penalty of the act, and not only that, but that every woman in the United States who subscribes to it might also be subject to the penalties of the act. To relieve such fear, this bill was drafted some time ago, was recommended by the Committee on Privileges and Elections, and was placed on the calendar. Unfortunately since it has been on the calendar I have not been here at the time the calendar was called and have not been able to give the explanation of the measure which I have given this morning.

The purpose of the bill is to afford the relief which I have described. I am sure every Senator believes that a publication of the kind mentioned, which does not and cannot involve the pernicious practices which I first mentioned, probably serves a meritorious purpose. Dissemination of information of that kind to the women of our country, and especially to those of our party, is an important thing and should be continued. Certainly they should not be subjected to penalties, or high fines, and perhaps a jail sentence. Therefore, the bill was rather carefully drawn, so as not to open up or weaken the act relating to pernicious political activities and practices.

This is what the bill would permit:

Nothing in this act shall be construed to interfere with or prevent the publication or sale—

I ask the particular attention of Senators to this language, because if the bill does not do what I want to do, but would permit certain practices which are now prohibited by the act, I should not want it to be passed—

Nothing in this act shall be construed to interfere with or prevent the publication or sale, by any political committee or other political organization, of any periodical, publication not published and sold for profit which is sold at a price not substantially in excess of the cost of its publication.

Mr. President, the idea in that language is to prevent a publication being prepared and sold for an excessive sum in order to raise campaign contributions. This measure would prevent the sale of a publication at a cost substantially in excess of the cost of publication. The particular periodical to which I referred is sold, I think, for less than the cost of publication.

Mr. AIKEN. Mr. President will the Senator yield for a question?

Mr. HATCH. I yield.

Mr. AIKEN. I should like to ask the Senator first whether such a publication as the bill refers to would have the privilege of the low postage rate?

Mr. HATCH. I do not know whether it would or not.

Mr. AIKEN. The other question I should like to ask is this: The publication in question might not be sold at a profit, but would such publication be permitted to carry advertisements?

Mr. HATCH. The bill would not change the prohibition of the act against advertisements.

Mr. AIKEN. It would not permit advertisements?

Mr. HATCH. It would not permit advertisements; no. The reason for that, as I said, is that I do not want to have the measure do anything which would reopen or weaken the act we have already passed.

Mr. AIKEN. I thank the Senator. I simply wanted to be sure of that matter.

Mr. McNARY. Mr. President, I do not know that I have any objection to the bill, since its purposes have been explained. I recall that on the call of the calendar on two former occasions objection was made to the consideration of the bill. There is a small attendance this morning. There has not been a roll call. No notice was given of the purpose of calling the calendar. For that reason I should like to have the bill go over until a later date.

Mr. HATCH. Mr. President, I am in perfect accord with what the Senator from Oregon has said, and more than that, I should be perfectly happy if he would study the bill, and if it would not accomplish the purpose sought to be accomplished, without the dangers I have mentioned, I should not want it to be passed.

Mr. McNARY. I shall do so. I am speaking more for those who are not present today and who should have an opportunity to express their views. For that reason I should like to have the bill go over.

The PRESIDING OFFICER. The bill will be passed over.







commands. The War Department has asked for this amendment to the law, and I am sure it is in keeping with good governmental policy.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

#### COMPENSATION OF CAPITOL POLICE FOR ACCUMULATED UNUSED LEAVE

The resolution (S. Res. 269) to pay certain members of the Capitol Police force entering the armed forces of the United States for accumulated unused leave was read, considered, and agreed to, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized to pay from the contingent fund of the Senate to members of the Capitol Police force assigned to duty at the Senate Office Building such sums as may be necessary to reimburse them for accrued leave accumulated under regulations of the Capitol Police board and unused by reason of entering the armed forces of the United States, upon vouchers approved by the Sergeant at Arms of the Senate.

#### BILL PASSED OVER

The bill (S. 1313) to strengthen the national defense and promote the general welfare through the appropriation of funds to assist the States and Territories in meeting financial emergencies in education and in reducing inequalities of educational opportunities, was announced as next in order.

Mr. THOMAS of Utah. Mr. President, in my opinion the Senate could do no wiser thing than pass this bill, but it is one arousing great controversy, and therefore it should go over.

The VICE PRESIDENT. The bill will be passed over.

#### COMPENSATION TO UNITED STATES EMPLOYEES SUFFERING INJURIES

The Senate proceeded to consider the bill (H. R. 5839) to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended, which had been reported from the Committee on Education and Labor with an amendment, on page 2, line 2, after "section 10", to insert "shall not apply."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### BILLS AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 7100) to amend the act entitled "An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1942 approved January 27, 1942 (Public Law 416, 77th Cong.), to continue it in force during the existing war," was announced as next in order.

Mr. BARKLEY. Mr. President, in this bill and the two following it on the calendar the Senator from Maryland [Mr. RADCLIFFE] is interested; in fact, he reported them. The Senator from Maryland is engaged in work on a committee and is unable to be on the floor at this

time, and, at his request, I ask that these bills go over.

The VICE PRESIDENT. Without objection, Calendar Nos. 1601, 1602, and 1603—House bill 7100, House bill 6818, and House Joint Resolution 246—will be passed over.

#### ACCUMULATION OF LEAVE FOR CERTAIN GOVERNMENT EMPLOYEES

Mr. MEAD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 2341, Order of Business 1580, a bill introduced by the Senator from South Dakota [Mr. BULOW].

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2341) to amend the act approved March 14, 1936, entitled "An act to provide for vacations for Government employees, and for other purposes."

Mr. McNARY. Mr. President, I have no objection to the bill being considered at the proper time, but has the Senate concluded the consideration of measures on the calendar?

Mr. BARKLEY. The consideration of the calendar has been concluded.

The VICE PRESIDENT. The call of the calendar has been concluded, three bills having been passed over at the suggestion of the Senator from Kentucky.

Mr. McNARY. I was not aware of that.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

Mr. GEORGE. Mr. President, I think the bill should be explained. We should know what the bill provides.

Mr. MEAD. The bill was introduced by the chairman of the Committee on Civil Service of the Senate, the Senator from South Dakota [Mr. BULOW], at the request of the administration.

Government employees are now allowed 26 days annual leave, and are permitted to accumulate their leave over a period of years until they accumulate a maximum of 60 days. This bill would allow them to continue the accumulation by remaining at their posts until they accumulate a maximum of 90 days, but no more than 15 days to be added in any one year. The idea is to keep them at work during the emergency and to permit them to take time off in the future when they can better be spared.

The explanation which has been furnished suggests that the Bureau of the Budget, the Civil Service Commission, and the various departments of the Government ask for the enactment of the bill. It will cost the Government nothing, but will keep veteran employees on the job during the emergency, and will permit them to take at some other period, when their services can be spared, not time and a half, but equal time off. The bill is to apply only for the duration of the emergency, and its enactment is sought because of the congestion in personnel.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

There being no objection, the bill (S. 2341) to amend the act approved March 14, 1936, entitled "An act to provide for

vacations for Government employees and for other purposes" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the first sentence in section 1 of the act of March 14, 1936 (49 Stat. 1161), is hereby amended by adding the following proviso: "Provided further, That during the national emergency declared by the President of the United States on September 8, 1939, the leave unused by the employees of the departments, independent establishments, and agencies, not in other form commuted or compensated, shall be accumulated for succeeding years until it totals not exceeding 90 days: And provided further, That in excess of 60 days, not to exceed 15 days of leave may be accrued in any one calendar year."

#### PRESENTATION OF MEDAL OF HONOR TO J. EDGAR HOOVER

Mr. MEAD. Mr. President, I ask unanimous consent that the Senate proceed to consider Senate bill 2643, to authorize the presentation of a medal of honor to J. Edgar Hoover.

Mr. McNARY. Mr. President, when this bill was called up 2 weeks ago I had occasion to ask that it go over so that I might give it some thought. I have no objection today.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2643) to authorize the presentation of a medal of honor to J. Edgar Hoover, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 4, after "Investigation", to strike out "who, by his untiring devotion to duty and with the assistance of the officers and employees of such Bureau, apprehended and took into custody" and to insert "in recognition of the untiring devotion to duty by J. Edgar Hoover and the officers and public servants acting under his direction, who collaborated in the apprehension of", so as to make the bill read:

*Be it enacted, etc.*, That the President is authorized to present, in the name of Congress, an appropriate medal of honor to J. Edgar Hoover, Director of the Federal Bureau of Investigation, in recognition of the untiring devotion to duty by J. Edgar Hoover and the officers and public servants acting under his direction, who collaborated in the apprehension of numerous enemy agents, saboteurs, and fifth columnists during the month of June 1942, thereby affording great protection to his country and its citizens and effecting a telling blow in the prosecution of the war.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CHANGES IN CERTAIN SALARIES AND GRADES

Mr. MEAD. Mr. President, there is one further bill, Senate bill 2150, reported from the Committee on Civil Service which I should like to have considered by the Senate.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.



The LEGISLATIVE CLERK. A bill (S. 2150) to amend section 13 of the Classification Act of 1923, as amended.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MEAD. Mr. President, I ask that the bill immediately following on the calendar, House bill 6217, which is identical, be substituted for the Senate bill and be now considered.

The VICE PRESIDENT. Is there objection?

Mr. THOMAS of Oklahoma. Mr. President, I ask that these two bills go over for a few moments, so that I may examine into them.

The VICE PRESIDENT. The bills will be passed over.

#### PENSIONS TO DEPENDENTS OF VETERANS

Mr. SCHWARTZ. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 709, House bill 1030.

Mr. McNARY. What does the bill provide?

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 1030) to provide increases of pension payable to dependents of veterans of the Regular Establishment and for other purposes.

Mr. SCHWARTZ. Mr. President, by the act of August 4, 1939, the Congress fixed the pensions for veterans of the Regular Establishment at 75 percent of the World War rates, and the bill simply provides that the dependents of the veterans of the Regular Establishment shall also receive 75 percent of the World War rates. In other words, it simply does for the dependents of veterans of the Regular Establishment what was done by Congress in 1939 for the veterans themselves. That is substantially what the bill provides.

Mr. BYRD. Mr. President, I voiced objection to this bill several times in connection with similar pension bills on the calendar, and I submitted the various bills to the Veterans' Administration. I have received a letter from General Hines in which he has approved the bill which is now before us for consideration. It is the only pension bill in the group to which he has given his approval. Therefore, Mr. President, I shall withdraw my objection to the pending bill, and ask unanimous consent to insert in the body of the Record as a part of my remarks the portion of the letter from General Hines which has to do with the bill under discussion.

The VICE PRESIDENT. Is there objection?

There being no objection, the excerpt from the letter was ordered to be printed in the Record, as follows:

Calendar No. 709, H. R. 1030, Seventy-seventh Congress, "An act to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes."

H. R. 1030, as originally introduced in the House of Representatives, would have granted to dependents of deceased peacetime veterans, death service-connected, rates equal to the highest rates available for serv-

ice-connected deaths to dependents of deceased veterans of the World War and the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection. The Veterans' Administration in its report to the Committee on Invalid Pensions, June 12, 1941, stated that it was unable to recommend H. R. 1030, as introduced, to the favorable consideration of the committee. However, the Veterans' Administration did recommend adjustment of the rates to such dependents on a 75-percent ratio with the wartime service-connected death rates so as to maintain equality with the veterans' rates which are 75 percent of the wartime rates.

The committee was informed that advice had been received from the Bureau of the Budget that enactment of H. R. 1030, as introduced, would not be in accord with the program of the President, further, that in respect to the recommendation of the Veterans' Administration, that the pension rates payable to dependents of peacetime veterans who die from a service-incurred disability be increased to 75 percent of the compensation payable to dependents of World War veterans who die from a service-incurred disability, no commitment was made by the Bureau of the Budget as to the relationship of the increase to the program of the President.

The Committee on Invalid Pensions reported H. R. 1030 with amendments, House Report No. 964, July 16, 1941. The amendments approved by the committee placed into effect the recommendations of the Veterans' Administration concerning the 75-percent ratio.

After passage of the amended bill by the House of Representatives, the Committee on Pensions of the Senate reported the bill favorably with an amendment which added section 4 to the bill to establish uniformity with reference to the effective dates of awards of death pension.

The bill as amended, by the Senate committee, in addition to providing a conservative increase in the service-connected death pension rates for peacetime cases, keeping within the established 75-percent relationship of the wartime rates, incorporates two provisions which the Veterans' Administration believes are necessary in order to establish uniformity in the administration of laws pertaining to service-connected death benefits. The first is amendment of the general pension law to provide as to claims pending upon the date of enactment of the act or thereafter filed under that law based upon death from cause originating in service since March 4, 1861, the award of death benefits will be effective as of the day following the date of death of the veteran if claim is filed within 1 year after the death of such veteran. This rule is at present applicable to the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection and the World War. Under the present provisions of the general pension law it is necessary to make retroactive awards involving large amounts as the pension is payable from the date of death regardless of the date of claim. The effect of this provision therefore would be to produce a saving and at the same time establish uniformity.

Section 4, which was added by the Pension Committee of the Senate, would apply the World War and Spanish-American War rule as to the effective dates of death pension awards, service-connected death, to awards of death pension granted under part II, Veterans Regulation No. 1 (a), as amended, that is, effective as of the day following the date of death of the veteran, if claim is filed within 1 year following the date of death of the veteran. This includes the peacetime death cases as well as those falling under the provisions of paragraph 1 (c) of part II of Veterans Regulation No. 1 (a), as amended, as amended by Public, No. 359, Seventy-seventh Congress, approved December 19, 1941, which includes, among others, the present war cases.

Casualty lists now being received frequently report many as wounded or missing in action and a considerable period of time frequently elapses before the War or Navy Department can report that a service man has actually died as a result of injury or disease received in line of duty, with the consequence that claims for death pension are not received for a long time after death and are then received from persons greatly in need. Under existing law, it is necessary to pay the benefits in such cases from date of application, whereas under the bill it will be possible to make the award in those cases effective from date of death if the claim is filed within 1 year after the death of the veteran. This is an example of one of the effects of making the rule uniform in death pension cases.

As stated in House Report No. 964, July 16, 1941, the estimate of cost furnished by the Veterans' Administration on H. R. 1030, as amended, was that the bill as amended would provide increased pensions for the dependents of approximately 10,455 veterans at an additional first year cost of approximately \$1,419,600. It was not possible to estimate the effects of the limitation concerning yearly renewable term or automatic insurance or national service life insurance. This estimate of cost was made prior to the enactment of Public, No. 359, Seventy-seventh Congress, December 19, 1941. Due to the fact that in a number of the peacetime cases the full wartime rates will be payable where the injury or disease was received in line of duty as a direct result of armed conflict or while engaged in extra hazardous service including such service under conditions simulating war, the estimated cost of H. R. 1030 will be reduced by the number of peacetime cases wherein the war rates will be applicable under the foregoing conditions as provided in the said act of December 19, 1941. As to the present war, of course, under the same act wartime rates are already applicable so that at least during the continuation of the present war, service-connected death cases would not come under the provision of H. R. 1030 but would be paid the wartime rates under the act of December 19, 1941.

In view of the original considerations pertaining to H. R. 1030, and the subsequent legislation heretofore referred to, the Veterans' Administration very strongly recommends enactment of H. R. 1030 in its present form which includes the amendment by the Senate Pension Committee adding section 4 to the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1030) to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes, which had been reported from the Committee on Pensions with an amendment, on page 4, after line 3, to insert a new section, as follows:

Sec. 4. That notwithstanding any provision of law or veterans regulation, awards of death pension granted under part II of Veterans Regulation No. 1 (a), as amended, shall be effective as of the day following the date of death of the veteran, if claim is filed within 1 year following the date of death.

Mr. SCHWARTZ. The committee has an amendment it desires made in the amendment reported.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 4, line 7, in the amendment of the committee, after the word "amended", it is proposed to add "or under Public Law No.



July 24



77TH CONGRESS  
2D SESSION

# S. 2341

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 24, 1942

Referred to the Committee on the Civil Service

---

## AN ACT

To amend the Act approved March 14, 1936, entitled "An Act to provide for vacations for government employees, and for other purposes".

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*  
3   That the first sentence in section 1 of the Act of March 14,  
4   1936 (49 Stat. 1161), is hereby amended by adding the  
5   following proviso: "*: Provided further, That during the*  
6   national emergency declared by the President of the United  
7   States on September 8, 1939, the leave unused by the em-  
8   ployees of the departments, independent establishments, and  
9   agencies, not in other form commuted or compensated, shall  
10   be accumulated for succeeding years until it totals not exceed-

1 ing ninety days: *And provided further*, That in excess of  
2 sixty days, not to exceed fifteen days of leave may be accrued  
3 in any one calendar year”.

Passed the Senate July 23, 1942.

Attest:

EDWIN A. HALSEY,

*Secretary.*



77<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

S. 2341

---

## AN ACT

To amend the Act approved March 14, 1936, entitled "An Act to provide for vacations for government employees, and for other purposes".

---

JULY 24, 1942

Referred to the Committee on the Civil Service







## RAISING TO 90 DAYS THE AMOUNT OF LEAVE EMPLOYEES MAY ACCUMULATE DURING WARTIME

---

NOVEMBER 16, 1942.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

---

Mr. RAMSPECK, from the Committee on the Civil Service, submitted the following

### REPORT

[To accompany S. 2341]

The Committee on the Civil Service, to whom was referred the bill (S. 2341) raising to 90 days the amount of leave employees may accumulate during wartime, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

On page 2, beginning in line 1, strike out the proviso and insert:

*And provided further*, that when the unused leave accumulated equals or exceeds sixty days in the aggregate, not more than fifteen days of unused leave may be further accumulated in any one calendar year.

### STATEMENT

The purpose of this bill is to raise to 90 days the amount of leave employees may accumulate during wartime, whereas under existing law (March 14, 1936, 49 Stat. 1161) their 26 days of annual leave may accumulate up to 60 days. During normal times leave schedules can be so arranged as to prevent the accumulation of leave in excess of 60 days, but unusual work pressures of wartime require many employees to forego annual leave, which leads to widespread forfeitures of leave rights. This bill will relieve these forfeitures to some extent.

The amendment does not change the intent of the bill but is meant to clarify the language so as not to limit the 26 days' annual leave already granted by Congress.

For the information of the House, statements of the Secretary of War and the President of the Civil Service Commission are printed below:

NOVEMBER 5, 1942.

HON. ROBERT RAMSPECK,  
*Chairman, Committee on the Civil Service,  
House of Representatives.*

DEAR MR. RAMSPECK: The War Department favors the enactment of S. 2341, an act to amend the act approved March 14, 1936, entitled "An act to provide for vacations for Government employees, and for other purposes."

It is recommended, however, that on page 2, line 2, of the bill the word "accumulated" be substituted for the word "accrued," and the word "unused" be added after the word "of," so the bill will read as follows:

"And provided further, That in excess of sixty days, not to exceed fifteen days of unused leave may be accumulated in any one calendar year."

While the intention of the proposed legislation seems clearly to limit the amount of leave which may be accumulated in excess of 60 days to 15 days per annum, it is feared that the wording of the bill as it now stands would limit the 26 days annual leave which has already been granted by Congress.

Sincerely yours,

HENRY L. STIMSON,  
*Secretary of War.*

UNITED STATES CIVIL SERVICE COMMISSION,  
*Washington, D. C., August 10, 1942.*

HON. ROBERT RAMSPECK,  
*Chairman, Committee on the Civil Service,  
House of Representatives.*

DEAR MR. CHAIRMAN: This refers to your letter of July 30, 1942, which was acknowledged August 1, 1942, requesting a statement of the Commission's views on S. 2341, a bill to amend the act approved March 14, 1936, entitled "An act to provide for vacations for Government employees, and for other purposes."

The characteristics of S. 2341 may be summarized as follows:

1. Under existing law (act of March 14, 1936), Government employees are entitled as a matter of right to annual (vacation) leave of 26 days a year. Any unused portion of this leave is preserved to the employee by legislative direction that it shall accumulate and be available to him for future use. However, the present law limits this accumulation to 60 days. This amount could be earned by foregoing all vacation absences during a period of 2 years and 4 months of service.

2. In view of the maximum limit of 60 days, Government employees who have accumulated more than 60 days' annual leave credit will forfeit the excess at the end of each year.

3. The periods when employees may actually take their leave are subject to the discretion of administrative and supervisory officials. During normal times, leave schedules can be so arranged as to prevent the accumulation of leave in excess of 60 days, and hence forfeitures can be avoided.

4. However, the unusual work pressures of wartime require many employees to stay on the job and defer or forego vacations to an extent which will lead to widespread forfeitures of leave rights.

5. S. 2341 will relieve these forfeitures partially. It will have the effect of raising from 60 days to 90 days the amount of leave the employee may forego during wartime and preserve for future use after the war is over. It provides, however, that only 15 days may be added to the 60 days in any one calendar year.

6. Naturally, under present conditions, administrative officials are frequently faced with the dilemma of either (a) authorizing extended absences on annual leave of employees whose continuous services are necessary to the war program, or (b) persuading such employees to permit a considerable portion of their accumulated leave (in excess of 60 days) to be forfeited. Congress has made the granting of annual leave mandatory (16 Comp. Gen. 74). Many departments have established limits on the amount of annual leave that may be taken at any one time; but where forfeitures are involved of leave rights granted by Congress, administrative officials cannot very well deny the exercise of those rights. The passage of S. 2341 will make this administrative problem somewhat easier to solve, because it will then arise less frequently.

7. When an employee is dropped from the service on account of reduction in force, or resignation, he is granted his accrued annual leave before he is actually separated from the pay roll. After the war, there will be large curtailments in Government establishments. Permitting leave to accumulate up to 90 days will give the dismissed employees that much time with pay to make the adjustments necessary to return to private employment.

8. S. 2341 will take the place of other laws which expired on June 30 last and which authorized the Navy Department and War Department (field service) to give employees double pay for working during periods of leave which they would otherwise have forfeited. It is the policy of the President to preserve annual leave for future use, when the employee defers his vacations indefinitely, rather than to pay him extra compensation (double time).

9. S. 2341 will not involve the expenditure of additional funds. Employees are now paid during their vacations at the same rate as when they actually work, regardless of when their vacations are taken. When they defer or forego their vacations, the same amount is expended, but the employees, of course, are actually working. If they are not permitted to accumulate leave in excess of 60 days, they are entitled to take their vacations currently in lieu of forfeiting their leave rights, and they will be paid during such vacations now instead of being paid for the same period of leave taken later on, as S. 2341 would provide. In other words, under S. 2341, the Government would simply defer until some future time the same expenditures during vacation leaves that it is obligated to make at present.

In view of the advantages of this bill to the Government during the war period (to which the terms of the bill are limited) the Commission recommends its passage.

The foregoing report has been submitted to the Director of the Bureau of the Budget, who has advised us that the enactment of the proposed legislation in its present form would not be in conflict with the program of the President.

Sincerely yours,

HARRY B. MITCHELL, *President.*





# Union Calendar No. 943

77<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

## S. 2341

[Report No. 2631]

---

### IN THE HOUSE OF REPRESENTATIVES

JULY 24, 1942

Referred to the Committee on the Civil Service

NOVEMBER 16, 1942

Reported with an amendment, committed to the Committee of the Whole House  
on the state of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in *italic*]

---

## AN ACT

To amend the Act approved March 14, 1936, entitled "An Act  
to provide for vacations for government employees, and for  
other purposes".

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the first sentence in section 1 of the Act of March 14,  
4       1936 (49 Stat. 1161), is hereby amended by adding the  
5       following proviso: "*Provided further,* That during the  
6       national emergency declared by the President of the United  
7       States on September 8, 1939, the leave unused by the em-  
8       ployees of the departments, independent establishments, and  
9       agencies, not in other form commuted or compensated, shall  
10      be accumulated for succeeding years until it totals not exceed-

1 ing ninety days: *And provided further, That in excess of*  
2 *sixty days, not to exceed fifteen days of leave may be accrued*  
3 *in any one calendar year And provided further, That when*  
4 *the unused leave accumulated equals or exceeds sixty days in*  
5 *the aggregate, not more than fifteen days of unused leave may*  
6 *be further accumulated in any one calendar year”.*

Passed the Senate July 23, 1942.

Attest:

EDWIN A. HALSEY,

*Secretary.*





---

---

## **AN ACT**

To amend the Act approved March 14, 1936, entitled "An Act to provide for vacations for government employees, and for other purposes".

---

---

**JUNE 24, 1942**

Referred to the Committee on the Civil Service

**NOVEMBER 16, 1942**

Reported with an amendment, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed



following Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read as follows:

Page 3, line 3, after "aircraft" insert "and shall be restricted to the performance of shore duty within the continental United States only."

Page 3, line 13, strike out all after "Act" down to and including "States" in line 17.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. I understand this is simply restricting the work of the auxiliary to shore duty.

Mr. BLAND. That is correct. When the bill was reported out by the Committee on Merchant Marine and Fisheries, it provided that those auxiliaries should be sent outside of continental United States. It was thought they might possibly be sent to Hawaii, Alaska, and other places, while such a provision is not contained in the bill creating a similar service for the Navy. The Coast Guard is under the Navy at the present time, and while a provision of that kind or a similar provision was desirable, it was thought that it would be better to work it out as applicable to both organizations under the same regulations.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendments.

The Senate amendments were concurred in and a motion to reconsider laid on the table.

#### EXTENSION OF REMARKS

Mr. O'NEAL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include two speeches.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

#### LEAVE TO ADDRESS THE HOUSE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent that today, after the special orders and the regular business, I be permitted to address the House for 7 minutes.

The SPEAKER. Is there objection?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent that on Thursday next, after the conclusion of any other special orders, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection? There was no objection.

#### EXTENSION OF REMARKS

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein an article from the Puerto Rico World Journal, embodying a speech by Attorney General Malcolm, of Puerto Rico, that I think will be of interest to the Members.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

#### HON. MELVIN J. MAAS

Mr. GALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. GALE addressed the House. His remarks appear in the Appendix of today's RECORD.]

(By unanimous consent Mr. GALE was granted permission to revise and extend his remarks.)

#### EXTENSION OF REMARKS

Mr. IMHOFF. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article which appeared in two newspapers in the Eighteenth Congressional District of Ohio by Corp. C. L. McWilliams, a former newspaper reporter and photographer, now serving in the armed forces.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BOYKIN] be allowed to extend his remarks in the RECORD by including two editorials, one from the Boston Post and one from the Bridgeport Telegram.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. THOMAS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks and include excerpts from reports by Mr. Elmer Davis to the University of Minnesota.

The SPEAKER. Is there objection?

There was no objection.

[The matter referred to appears in the Appendix.]

NOT TO INJURE ANY, BUT TO DO JUSTICE TO THE MANY

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RICH addressed the House. His remarks appear in the Appendix of today's RECORD.]

#### ACCUMULATED LEAVE FOR GOVERNMENT EMPLOYEES

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I asked the gentleman from Pennsylvania [Mr. RICH] to yield, because he misunderstood me or I misunderstood him. I thought he was asking me about the salary bill for Federal employees, and I told him it would not be brought up by unanimous consent. The leave bill is a Senate bill that has already passed that body and has been favorably reported by the House committee. All it does is to permit the accumulation of the additional 30 days of leave, the purpose of which is to let the employees forego their vacations during the war emergency. It is urgently requested by the War Department and other agencies engaged in the war. I think the gentleman from Pennsylvania [Mr. RICH] misunderstands the purpose of it entirely. It does not give them any more leave. The purpose is to have them accumulate it rather than take it during the emergency, and give it to them later.

Mr. BOREN. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. BOREN. What is the greatest amount of accumulation they can reach under the bill?

Mr. RAMSPECK. Ninety days.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. RICH. Do you know of any other employees in the United States working for anybody else who get such gratuities as Government employees get today in their leave?

Mr. RAMSPECK. Yes. I think private employees get just as much, if not more.

Mr. RICH. They do not in any industry that I know of. I would ask the gentleman if he will place in the RECORD the names of the companies in the United States which grant the gratuities he speaks about.

Mr. RAMSPECK. Every private employer in the world allows his employees time off to go to the doctor and things like that.

Mr. RICH. Certainly they do, but this is granting more.

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein three articles, one by Dr. Grady, one by Dr. Borchard, and one by Dr. Ploechl.



The SPEAKER. Is there objection?  
There was no objection.

[The matters referred to appear in the Appendix.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. BEITER. Mr. Speaker, I ask unanimous consent that at the conclusion of business on the Speaker's desk and following the remarks by the gentleman from Oklahoma [Mr. WICKERSHAM] I may be permitted to address the House today for 30 minutes.

The SPEAKER. Is there objection?  
There was no objection.

#### GASOLINE RATIONING PROGRAM

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENNETT. Mr. Speaker, the people of the congressional district which I have the honor to represent are very much opposed to administration plans for rationing gasoline there, because they know we have no shortage of gasoline. They know we are engaged in a global war; that, as a result of administration bungling, we do not have sufficient rubber to carry on as usual; that they must forego unnecessary driving and that tires must be well cared for, but automobile owners are grown-ups who do not feel they need a guardian in Washington to force them to care for their tires.

Unnecessary interference with the people's rights is bad for the morale of the country. My people would willingly take all tires from their cars and give them to their Government if convinced such action was necessary for victory. They are intensely patriotic, but it is their love of country, as well as their desire to protect business from needless injury, which compels them to object to unnecessary restrictions. Thousands of people are fortunate enough to have good tires. They are thrifty and sensible enough to voluntarily conserve them. Unless they are permitted to carry on as a free people are entitled to do, many small businesses will be unnecessarily destroyed and thousands made jobless.

Mr. Speaker, it is time the people's Representatives in Congress should tell some bureaucrats that we have a war to win and that it can not be done by drying up sources of revenue and destroying the morale of the people. I have given much study to the matter of gasoline rationing in the Central States, and I am not convinced that it is either wise or necessary.

#### EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Texas [Mr. PATMAN] may extend his own remarks in the RECORD by including therein an article from the Times-Herald paying tribute to the Honorable SAM RAYBURN, Speaker of the House of Representatives. I have an estimate of cost from the

Public Printer; it is \$105. I again renew the request for the gentleman from Texas [Mr. PATMAN].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a speech I made before the Methodist Conference.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. JARMAN. Mr. Speaker, I have two requests to submit: First, to extend my own remarks in the RECORD and include a short news article; and, second, that I may address the House for 1 minute and revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter first referred to appears in the Appendix.]

#### GEORGE O. MILLER

Mr. JARMAN. Mr. Speaker, within the hour the new legislature of Alabama will convene in special session and be organized. All of the jockeying for position, however, has long since been concluded and it is well known who the officers will be. Among them, presiding over that assembly, will be an able and distinguished gentleman from my little home town of Livingston, a dear old friend of my lamented father as well as of myself throughout the years. I am therefore proud indeed and predict that this gentleman will make a very able and distinguished speaker of that august body. Incidentally, he is the first speaker to hail from my county of Sumter in history. I say: All hail, congratulations, good luck, and godspeed to my distinguished friend, Speaker George O. Miller, of Alabama.

[Here the gavel fell.]

#### ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, yesterday being the seventh anniversary of the establishment of the Philippine Commonwealth I ask unanimous consent to insert in the RECORD a statement made by the Honorable Manuel L. Quezon, President of the Philippine Commonwealth, on the occasion of the seventh anniversary of the establishment of that Commonwealth.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

#### OIL SHORTAGE

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. DISNEY addressed the House. His remarks appear in the Appendix of today's RECORD.]

#### EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

#### PERMISSION TO ADDRESS THE HOUSE

Mr. NELSON. Mr. Speaker, I ask unanimous consent that on Thursday next, after the conclusion of the regular and special business of the House I may be permitted to address the House for 20 minutes and hold a brief discussion on what happened in Missouri.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. LEA. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects and in one to include a letter of the President in reference to the administration of petroleum matters by the Government.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matters referred to appear in the Appendix.]

[Mr. CELLAR asked and was given permission to extend his own remarks in the RECORD.]

#### RETIRED PAY OF CERTAIN RETIRED JUDGES OF POLICE AND MUNICIPAL COURTS, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2503) to provide for the payment of retired pay to certain retired judges of the police and municipal courts of the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That any person not less than 70 years of age who has heretofore served for at least 12 years as a judge of the police court of the District of Columbia or the







chairman of that committee asked me to use my efforts in bringing the bill up. The bill specifically authorizes the utilization of existing facilities. You will find in the bill there is specific provision authorizing and directing cooperation with other departments and agencies of the Federal Government, as well as with State, municipal, and county agencies and institutions. In view of the fact that this bill has passed the Senate, and further that a former Member of the House, Mr. Boland, and Mr. FENTON and other Members of the delegation from Pennsylvania have been very active for it, I sincerely hope the gentleman will not object. This is a deserving bill.

Mr. COFFEE of Nebraska. I will not object, but I shall expect that the Appropriations Committee will stop any appropriation for the purpose of establishing a Federal laboratory and that the existing facilities will be utilized for that purpose.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain a research laboratory in the anthracite region of Pennsylvania to conduct researches and investigations on the mining, preparation, and utilization of anthracite coal and to develop new scientific, chemical, and technical uses and new and extended markets and outlets for anthracite coal and its products. Such laboratory shall be planned as a center for information and assistance in matters pertaining to conserving resources for national defense; to the more efficient mining, preparation, and utilization of anthracite coal; and pertaining to safety, health, and sanitation in mining operations and other matters relating to problems of the anthracite industry.

Sec. 2. For the purpose of this act the Secretary, acting through the United States Bureau of Mines, is authorized to acquire land and interests therein, and to accept in the name of the United States donations of any property, real or personal, and to utilize voluntary or uncompensated services at such laboratory. The Secretary is authorized and directed to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

Sec. 3. The Secretary, acting through the United States Bureau of Mines, shall make a report to Congress at the beginning of each regular session of the activities of, expenditures by, and donations to, the laboratory established under this act.

Sec. 4. The Secretary of the Interior, acting through the United States Bureau of Mines, may, in his discretion, create and establish an advisory committee composed of not more than six members to exercise consultative functions, when required by the Secretary, in connection with the administration of this act. The said committee shall be composed of representatives of anthracite coal-mine owners, of representatives of anthracite coal-mine workers and the public in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws.

Sec. 5. In order to carry out the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treas-

ury not otherwise appropriated, the sum of (a) \$450,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the building if no land is donated; and (b) \$175,000 annually for the maintenance and operation of the experimental station, including personal services, supplies, equipment, and expenses of travel and subsistence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to delete, revise, and extend the remarks I made today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

(Miss RANKIN of Montana asked and was given permission to extend her own remarks in the Record.)

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an address delivered by Mr. William B. Ziff.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[The matter referred to appears in the Appendix.]

#### CONSENT CALENDAR

##### CONFERRING JURISDICTION ON THE COURT OF CLAIMS TO CONSIDER CERTAIN CLAIMS

The Clerk called the next bill on the Consent Calendar, H. R. 1413, conferring jurisdiction upon the Court of Claims of the United States to consider certain claims arising after January 1, 1926, out of the Tariff Act of 1922.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

##### PERMITTING THE NATURALIZATION OF CERTAIN PERSONS

The Clerk called the next bill, H. R. 6763, permitting the naturalization of certain persons not citizens whose sons or daughters have served with the land or naval forces of the United States.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

##### RAISING TO 90 DAYS THE AMOUNT OF LEAVE EMPLOYEES MAY ACCUMULATE DURING WARTIME

The Clerk called the next bill, S. 2341, to amend the act approved March 14, 1936, entitled "An act to provide for vacations for Government employees, and for other purposes."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SMITH of Ohio. Reserving the right to object, Mr. Speaker, it is my understanding that the War Department has asked for this measure. May I ask the gentleman from Georgia if that is correct?

Mr. RAMSPECK. The gentleman is correct. The purpose of the bill is to permit the foregoing of vacations by people who are needed in the war effort and not penalize them for staying on the job, instead letting them accumulate an additional 15 days per year until they get up to 90 days.

Mr. SMITH of Ohio. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the first sentence in section 1 of the act of March 14, 1936 (49 Stat. 1161), is hereby amended by adding the following proviso: "Provided further, That during the national emergency declared by the President of the United States on September 8, 1939, the leave unused by the employees of the departments, independent establishments, and agencies, not in other form commuted or compensated, shall be accumulated for succeeding years until it totals not exceeding 90 days: And provided further, That in excess of 60 days, not to exceed 15 days of leave may be accrued in any one calendar year."

With the following committee amendment:

On page 2, line 1, after "days" insert a colon, strike out the remainder of the line and all of lines 2 and 3, and insert the following: "And provided further, That when the unused leave accumulated equals or exceeds 60 days in the aggregate, not more than 15 days of unused leave may be further accumulated in any one calendar year."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

##### REEMPLOYMENT OF PERSONS RETIRED UNDER THE ALASKA RAILROAD RETIREMENT ACT

The Clerk called the next bill, H. R. 7336, to permit the reemployment of persons retired under the Alaska Railroad Retirement Act.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That any person heretofore or hereafter retired from the service under the provisions of the Alaska Railroad Retirement Act (49 Stat. 2017; 5 U. S. C., ch. 14A) and who is beyond the retirement age shall be eligible for reemployment in the service of the Alaska Railroad or in the service of the War or Navy Departments if the appointing authority determines that such person is qualified and is physically capable of performing the duties of the position.

Sec. 2. There shall be deducted and withheld from the basic salary, pay, or compensation of such reemployed person and credited to his account as provided in the Alaska Railroad Retirement Act the regular deductions prescribed by such act. Upon separa-



tion from the service for any cause such person may elect to receive a refund of the total deductions so withheld during his period of reemployment together with interest at 4 percent per annum compounded on June 30 of each year, or to have his annuity claim readjudicated under the Alaska Railroad Retirement Act and receive credit for the additional service. The payment of the annuity of such person shall be suspended during the period of reemployment under this act.

SEC. 3. The appointing officer may terminate the employment of any person reemployed under this act, without prejudice to his annuity rights, when such appointing officer believes it to be in the best interest of the service to do so, or when such reemployed person's services are no longer required.

SEC. 4. The provisions of this act shall remain in force only during the continuance of the present war and for 6 months after the termination of the war, or until such earlier time as the Congress by concurrent resolution or the President may designate.

With the following committee amendment:

On page 2, beginning after the word "act", in line 5, strike out the remainder of line 5 and all down to and including the word "act", in line 13, and insert the following: "The payment of the annuity of such person shall be terminated during the period of reemployment under this act. Any such person whose annuity is terminated shall, upon the termination of his appointment, have his subsequent annuity rights determined under the provisions of law in effect at the time of such termination."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DEPORTATION OF ALIENS TO COUNTRIES ALLIED WITH THE UNITED STATES

The Clerk called the next bill, H. R. 7746, to authorize the deportation of aliens to countries allied with the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MARCANTONIO. I object, Mr. Speaker.

#### APPOINTMENT OF ADDITIONAL CIRCUIT JUDGE FOR THE FIFTH CIRCUIT

The Clerk called the next bill, H. R. 7738, to provide for the appointment of an additional circuit judge for the fifth circuit.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 2867, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

Mr. RICH. Reserving the right to object, Mr. Speaker, may we have an explanation of this bill?

Mr. WALTER. Mr. Speaker, the bill provides for the appointment of a sixth judge in the fifth circuit, in which there are now five judges. This circuit is one of the largest in territory and population

in the United States. It includes Texas, the Canal Zone, and the States all the way up to and including Georgia. Obviously it is impossible, as the court is presently constituted, for it to be assembled in two places at one time. As the gentleman well knows, under the law it is necessary that three judges sit in a circuit. The enactment of this measure will provide a means whereby the calendar, which is falling very far behind in the circuit, can be kept up. This is a very meritorious bill.

Mr. RICH. How far is the calendar behind in this district? How many cases have they on the calendar?

Mr. WALTER. More than twice as many appeals have been filed in this circuit as have been filed in other circuits in which there are 7 judges. There were 231 cases terminated last year, which makes a case load of over 46 cases per judge, as compared with 18 in the first circuit, 21 in the ninth circuit, 25 in the eighth circuit, and 34 in our own circuit. The case load in this circuit is the largest in the United States.

Mr. RICH. Does not the gentleman think that we could get over the period we are now going through without getting more people in the position of judge when they ought to be back doing the things necessary to win this war? We are building up not only a bureaucracy in Washington, but we are scattering it out all over the country. I am afraid that we will break down. The fact of the matter is that we will break down if we do not stop it.

Mr. WALTER. I share the gentleman's views about bureaucracy, but I have never looked upon the courts as being a bureaucracy.

Mr. RICH. I am not referring to the courts.

Mr. WALTER. It seems to me that our citizens are entitled to prompt disposition of their cases.

Mr. RICH. I think so, too.

Mr. WALTER. And where the case load is increasing I do not think it is fair to deprive the people of one more judge which will enable the court to do twice as much work as it has done before.

Mr. RICH. I state to my colleague from Pennsylvania that I am not a lawyer, and he is, and I have a lot of respect for his judgment, and that is about the only reason why I would let this go through, but I think that we ought to stop pretty soon. If the gentleman has made a thorough investigation of the matter and can recommend it, I shall not object, but gracious goodness, I think the time is here, and it was 10 years ago, when the President said that he would eliminate bureaus and consolidate departments, but instead of that, this man down in the White House has done everything under heaven to put all of the people in the United States on the Federal pay roll, and I think it is time we ought to stop it. He has got to make the appointment of this new judgeship, and will he put a New Deal judge on it? I have not much confidence in the matter and it is time to stop it.

The SPEAKER pro tempore. Is there objection?

Mr. HOFFMAN. Mr. Speaker, I reserve the right to object. Is Alabama in this circuit?

Mr. WALTER. It is.

Mr. HOFFMAN. I had occasion this morning to refer to three cases coming from the New York circuit, and in each one of those cases the court stated that the respondents had not had a fair trial. Yet they went on to say that the convictions could be confirmed, because the guilt was so apparent.

Mr. WALTER. I am not acquainted with those cases but I think the gentleman must have made a mistake. The court probably said that a harmless error had been done, and that is the usual thing that they hang their hats on in such instance. I could not imagine the court saying that a man had not had a fair trial and then have sustained a conviction.

Mr. HOFFMAN. That might be a judicial interpretation, and a judicial expression for an unfair trial. I have had a lot of experience with that. I have noticed this. For instance, you call a fellow something, and then you come along later and apologize, but a certain number of people still have the first name in their minds. I never was able to convince myself that when a jury had evidence before it, although the judge had told them to disregard the evidence, that they actually did disregard it and get it out of their minds. The judge may call it a harmless error, but in these cases they go along in these three cases and then the court says that while the man is guilty because that is the province of a jury they will not do anything about it. I do not like so many of that sort of judges. If the gentleman from Pennsylvania thinks that the gentleman from Alabama [Mr. HOBBS] is going to be the judge, I would not object.

Mr. WALTER. Many people are of that opinion.

Mr. HOFFMAN. It is universal.

Mr. WALTER. I could not think of a better man to hold that position.

Mr. HOFFMAN. And if the gentleman will do something to get a good judge like the gentleman from Alabama [Mr. HOBBS] all right.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the President is authorized to appoint, by and with the advice and consent of the Senate, one additional circuit judge for the fifth circuit.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

#### ADDITIONAL DISTRICT JUDGE, ALABAMA

The Clerk called the bill (H. R. 7810) to provide for the appointment of an ad-

Dec. 11





the National Committee to Abolish the Poll Tax with offices in Washington, D. C. It listed a group of "constituent organizations" in which group the National Catholic Welfare Conference was included. I am attaching a copy of a telegram which I sent to the National Committee to Abolish the Poll Tax regarding the use of the name of the National Catholic Welfare Conference as a constituent organization.

With sentiments of esteem, I remain,

Very sincerely yours,

MICHAEL J. READY,  
General Secretary.

NOVEMBER 23, 1942.

NATIONAL COMMITTEE TO  
ABOLISH THE POLL TAX,  
Washington, D. C.:

I read with surprise the name of the National Catholic Welfare Conference among constituent organizations listed by your committee, page 7 display in Washington Post this morning. Regardless of our position your committee included the National Catholic Welfare Conference without authorization. I protest such irresponsible action and demand the elimination of the name of this organization in your publicity.

MICHAEL J. READY,  
General Secretary, National Catholic  
Welfare Conference.

AMENDMENT OF ACT TO PROVIDE VACA-  
TIONS FOR GOVERNMENT EMPLOYEES

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2341) to amend the act approved March 14, 1936, entitled "An act to provide for vacations for Government employees, and for other purposes," which was, on page 2, line 1, to strike out all after "days:" down to and including "year" in line 3 and insert "And provided further, That when the unused leave accumulated equals or exceeds 60 days in the aggregate, not more than 15 days of unused leave may be further accumulated in any one calendar year."

Mr. BULOW. I move that the Senate concur in the amendment of the House. The motion was agreed to.

AUTHORIZATION OF RANK OF REAR  
ADMIRAL IN DENTAL CORPS OF THE  
NAVY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2769) to authorize the rank of rear admiral in the Dental Corps of the United States Navy, which was, to strike out all after the enacting clause down to and including "law," in line 9 and insert "That the rank of rear admiral in the grade of dental surgeon is hereby established in the Dental Corps of the United States Navy, and dental officers shall become eligible for selection and promotion to this rank under the provisions governing the selection and promotion of other staff officers to the rank of rear admiral contained in the Act of June 10, 1926, or in existing law: *Provided*, That there shall not be more than one officer in the Dental Corps in the permanent rank of rear admiral, exclusive of additional numbers."

Mr. WALSH. I move that the Senate concur in the amendment of the House. The motion was agreed to.

SUBSTITUTION OF OTHER MATERIALS  
FOR STRATEGIC METALS USED IN MINOR  
COINAGE, ETC.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2889) to further the war effort by authorizing the substitution of other materials for strategic metals used in minor coinage, to authorize the forming of worn and uncurrent standard silver dollars into bars, and for other purposes, which were, on page 2, lines 6 and 7, to strike out the comma and "in his discretion,"; on the same page, line 16, to strike out "1 cent, 3 cents, and 5 cents" and insert "1-cent piece and 3-cent piece"; on page 4, to strike out lines 20 to 22, inclusive; on the same page, line 23, to strike out "3" and insert "2"; on page 5, line 4, to strike out "4" and insert "3"; on the same page, line 24, to strike out "5" and insert "4"; on page 6, line 10, to strike out "6" and insert "5"; on the same page, line 18, to strike out "7" and insert "6"; and on the same page, line 24, to strike out "8" and insert "7."

Mr. WAGNER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

THE CALENDAR

Mr. McNARY. Mr. President, I was about to ask for the regular order. I have on my desk a number of matters to which I should like to refer, but inasmuch as the calendar has been made the unfinished business, it seems to me that the Senate should now proceed, in accordance with the order entered earlier today, to consider the unobjected-to measures on the calendar.

The PRESIDING OFFICER. The regular order is demanded. The clerk will proceed to state the measures on the calendar, beginning with Calendar No. 1815.

PREVENTION OF SPECULATION IN LAND  
OF COLUMBIA BASIN PROJECT

The bill (S. 2904) to amend the act approved May 27, 1937 (ch. 269, 50 Stat. 208), by providing substitute and additional authority for the prevention of speculation in land of the Columbia Basin project, was announced as first in order, and the Senate proceeded to its consideration. The bill had been reported from the Committee on Irrigation and Reclamation with an amendment.

Mr. McNARY. This bill carries no appropriation. It provides a means for controlling and preventing speculation in the great area known as the Columbia Basin. I cannot conceive any opposition; but, Mr. President, I rise for the particular purpose of having inserted following my brief remarks a letter of the Secretary of the Interior, addressed to the President of the Senate, found in the report of the committee, No. 1763. I ask unanimous consent that the letter be printed at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,  
Washington, January 30, 1942.  
The PRESIDENT OF THE SENATE,  
United States Senate.

MY DEAR MR. VICE PRESIDENT: I submit herewith for the consideration of the Congress a draft of a bill to amend an act entitled "An act to prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, and for other purposes" (act of May 27, 1937, 50 Stat. 208), and for other purposes.

I recommend that the proposed legislation be enacted.

The inauguration of a sound land-settlement policy covering the lands in the Columbia River Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam is of foremost importance to the economy of the Nation, the Pacific Northwest, and the Columbia Basin. The area affected is about the size of the State of Delaware.

The proposed bill is a product of careful studies conducted over a considerable period with a view of recommending policies and plans for a speedy and stable development of this area. The bill may be said, generally speaking, to emanate from two prime considerations. First, there are the studies conducted under the sponsorship of the Bureau of Reclamation, known as the joint investigations, Columbia Basin project. In these studies the views of many qualified and disinterested experts, and also of diverse affected Federal, State, and local agencies and private interests, were obtained and considered. The leadership of these studies state the adoption of guiding principles as follows:

"First, that the planning should be aimed at making the project a successful project, which will necessitate returning to the Government such funds as the law contemplates shall be returned and taking such steps as will insure, insofar as possible, that the settlers themselves will have a chance to be successful in their efforts to establish decent American homes; second, that the project should be developed in such a manner that numbers of indigent farm families forced from homes elsewhere through no fault of their own will be given an opportunity to rehabilitate themselves and to reestablish ties with wholesome community life; and, third, that since the future will not bring, so far as we now can see, another opportunity to develop so large and fine a block of land, all the experience gained and the knowledge acquired in past efforts to settle and develop land should be used to make this project, not utopian but as near the ideal American farming community as can be.

"The planning of the joint investigations was started with the assumption that settlement should be by families, and with the conviction that we should not have to reap two or three crops of settlers to obtain one which takes root and remains. The studies are not all completed. Sufficient progress has been made, however, to warrant recommending now the adoption of the elements of a program. Certain decisions should be made at this time."

The basic policy recommendations referred to have been incorporated in this bill.

In the second place, the existing law, act of May 27, 1937 (50 Stat. 208), known as the Antispeculation Act, is unworkable and confusing in a number of major aspects. In particular, it is inadequate to prevent speculation in the lands in question, thus to insure a fair cost to the ultimate settler.

Hence, this bill supersedes the existing law to eliminate its present faulty provisions as well as to add new matter pursuant to the recommendations of the joint investigations.



The major characteristics of the attached bill may be summarized as follows:

(1) The bill reauthorizes the Grand Coulee Dam project, to be known as the Columbia Basin project, as a project subject to the Reclamation Project Act of 1939 (53 Stat. 1187).

(2) The bill requires that, before commencement of the construction of the irrigation features, exclusive of Grand Coulee Dam and appurtenant works now under construction and of the pumping plant and equalizing reservoir and dams, the irrigation districts concerned must enter into repayment contracts with the United States, and that such contracts must provide, among other things, for the establishment of farm-unit plats, each farm unit to contain not more than 160 nor less than 10 acres of irrigable lands, dependent, taking into account all appropriate factors, on the respective areas sufficient in size for the support of an average-sized family. No one person or family could receive water for more than one farm unit, except that those who were owners of lands within the project area as of the date of enactment of the so-called Antispeculation Act, or their heirs or devisees as to such lands, may select and receive water for one or more farm units, provided that the total irrigable acreage of the units so selected does not exceed 160 acres, or the total irrigable acreage of their holdings as of such date, whichever is less.

(3) In addition to the foregoing provisions, there are certain provisions in the bill which, I believe, will accomplish much toward the prevention of unduly large holdings and the prevention of speculation in these lands. These provisions, which are largely penal in nature and which will remain in effect for 10 years from the time water becomes available, consist of:

(a) Provision whereby each owner of land within the project must, as a condition precedent to receiving water, execute a recordable contract agreeing to sell his excess lands at the appraised value thereof and of the improvements thereon, as determined by the Secretary of the Interior. If a landowner, having land covered by such a contract, thereafter sells any of the lands involved at a price in excess of this appraised value, the Secretary may, within a given period of time, cancel the right of such land to receive water. Furthermore, the bill provides that one who has been sold lands covered by a recordable contract for a consideration in excess of the appraised value may, in certain instances, rescind the contract and recover payments theretofore made, or proceed to take or hold title with remedies such that the total consideration will be only 75 percent of the appraised value.

(b) Provision whereby fraudulent misrepresentation as to the true consideration involved in the transfer of land covered by a recordable contract constitutes a misdemeanor punishable by fine not exceeding \$500 or imprisonment not exceeding 6 months, or both such fine and imprisonment.

(c) Provision whereby fraudulent misrepresentation or withholding of any material fact with respect to lands in the Columbia Basin project for the purpose of inducing the purchase of any such lands will constitute a misdemeanor punishable by fine not exceeding \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment.

(4) The bill authorizes the acquisition in the name of the United States of lands within or without the project area, by purchase or condemnation, and the acceptance of donations of land or money for the purposes of the project, and the administration of such lands. If lands are sold for irrigation farming, the terms of sale must be such, in any event, as to return within 40 years the appraised value thereof and of improvements thereon with interest at 3 percent per annum.

Lands leased for such purpose must provide comparable returns. The bill further authorizes the construction of improvements on lands so acquired and the dedication of lands for appropriate public purposes.

(5) The bill also contains comprehensive provisions for the clearing, leveling, and preparation of irrigable lands for the distribution and utilization of water from the project; and it makes provision, on an experimental basis in connection with the first three irrigation blocks, for construction of certain other improvements on the land and for certain loans to settlers for operations during the development period.

(6) The bill provides that a program of the land acquisition, development, and settlement authorized thereunder shall be prepared by this Department in collaboration with the interested irrigation districts and other interested Federal departments and agencies. This program is to become effective on approval by the President. Provision is also made, through this program approving procedure, for participation of the Department of Agriculture and other Federal agencies, as well as this Department, in the work covered by the program. Through this provision it is believed that the fullest use can be made of various agencies of the Federal Government that are qualified by their functions and facilities to make valuable contributions to the development of these phases of the project.

(7) The bill anticipates local taxing problems arising out of the acquisition of lands by the United States under the authority of the bill, and permits the making of agreements for the payment, out of funds derived from the leasing of these lands, of sums in lieu of taxes to the State of Washington or its political subdivisions.

(8) The bill makes provision for reducing the repayment obligations of districts, contracting to repay construction charges under the provisions of section 2 (b), by the amount by which the revenues realized in carrying out the land acquisition, development, and settlement program under section 4 of the bill exceed the cost of that program with interest at 3 percent per annum.

(9) The bill provides that water for irrigation purposes will not be delivered until its provisions have also been adopted, ratified, and consented to by the State of Washington, through appropriate legislation.

Preliminary drafts of this proposed legislation have been made available to representatives of the irrigation districts concerned and to others who are interested in one way or another in the Columbia Basin project. Many useful suggestions were made and many have been incorporated in the proposed legislation. It is my view that the bill is a decided improvement over the existing law, and, on the basis of comments received from those interested in it locally, I feel that it is so regarded by the people of the Northwest. I believe that the people in the area of the project and in the Northwest will embrace and approve it.

I am advised by the Director of the Bureau of the Budget that the proposed legislation is not in conflict with the program of the President.

Sincerely yours,

HAROLD L. ICKES,  
Secretary of the Interior.

Mr. MCCARRAN. Mr. President, I wish to inquire of the leaders on both sides of the Chamber whether there would be any objection to, or whether anything would be gained by, consideration of the entire calendar from beginning to end. The reason why I make the inquiry is that there are on the calendar a number of District of Columbia bills which come before the point at which the call of the calendar was com-

menced on November 27, 1942. I am entirely content to yield to any order, but there are one or two bills which pertain to the District of Columbia preceding that one which I should like to have considered.

Mr. McNARY. I think I can answer the question, so far as I am concerned. The order has been made to consider bills on the calendar beginning with Order of Business No. 1815. Let us finish and complete the present order, and, then, if we have any time left, I shall not object to recurring to earlier cases on the calendar.

Mr. MCCARRAN. Very well.

Mr. BARKLEY. Mr. President, let me say in that connection that the Senator from Nevada spoke to me several days ago about a number of District bills which he did not name. I find that to two or three of the bills which he probably had in mind there is opposition. It may be that those to which there is no opposition can be taken up and disposed of rapidly, and then we will have to see what will happen to those to which there is objection.

Mr. MCCARRAN. I may say there are about four; one pertaining to tax exemptions in the District of Columbia.

Mr. BARKLEY. There is serious objection to that bill, as I am informed.

Mr. MCCARRAN. I think the opposition has probably faded away; at least, I hope so.

Mr. BARKLEY. I have not heard of its fading away; I only heard of the objection.

Mr. McNARY. I ask for the regular order.

The PRESIDING OFFICER. The regular order is Senate bill 2904. The amendment reported by the committee will be stated.

The amendment reported by the Committee on Irrigation and Reclamation was, on page 13, line 13, after the word "in," to strike out "that" and insert "the," so as to make the bill read:

*Be it enacted, etc.,* That the act of May 27, 1937 (ch. 269, 50 Stat. 208), is hereby amended to read as follows:

"SECTION 1. In addition to the primary purposes for which the Grand Coulee Dam project (hereafter to be known as the 'Columbia Basin project' and herein called the 'project') was authorized under the provisions of the act of August 30, 1935 (49 Stat. 1028), the project is hereby authorized and reauthorized as a project subject to the Reclamation Project Act of 1939; and the provisions of each of those two acts together with the provisions of this act shall govern the repayment of expenditures and the construction, operation, and maintenance of the works constructed as a part of the project.

"SEC. 2. (a) No part of the funds heretofore or hereafter appropriated or allotted for project construction or for the reclamation of land within the project shall be expended in the construction of any irrigation features of the project, exclusive of Grand Coulee Dam and appurtenant works now under construction and of the pumping plant and equalizing reservoir and dams, until the requirements of the following subdivisions (i) and (ii) of this subsection (a) have been met:

"(i) All lands within the project shall have been impartially appraised by the Secretary of the Interior (hereinafter called the 'Secretary') and evaluated at the date of appraisal without reference to or increment on account of the construction of the project. Reap-





[PUBLIC LAW 806—77TH CONGRESS]

[CHAPTER 737—2D SESSION]

[S. 2341]

AN ACT

To amend the Act approved March 14, 1936, entitled "An Act to provide for vacations for government employees, and for other purposes".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first sentence in section 1 of the Act of March 14, 1936 (49 Stat. 1161), is hereby amended by adding the following proviso: "*Provided further*, That during the national emergency declared by the President of the United States on September 8, 1939, the leave unused by the employees of the departments, independent establishments, and agencies, not in other form commuted or compensated, shall be accumulated for succeeding years until it totals not exceeding ninety days: *And provided further*, That when the unused leave accumulated equals or exceeds sixty days in the aggregate, not more than fifteen days of unused leave may be further accumulated in any one calendar year".

Approved, December 17, 1942.







